IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17696 of 2004

Between:

P.Srikrishna, S/o Sri P.V.Narayana Rao, Senior Accountant,
M/s Bharat Sanchar Nigam Limited, O/o General Manager, Telecom District,
Vijayawada resident of Vijayawada

..... PETITIONER

AND

1 M/s Bharat Sanchar Nigam Limited rep.by its

Chairman-cum-Managing Director,
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001
2 The Chief General Manager, Telecommunications,

M/s Bharat Sanchar Nigam Limited,
Andhra Pradesh Circle, Abids, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate Writ Order or direction in the nature of Writ directing the Respondents herein to reassess the marks awarded to the Petitioner in Paper-I (English) of the Junior Accounts Officers (Part-1) Examination held in March, 2003 and to consider his case for promotion to the post of Junior Accounts Officer if found qualified with all consequential benefits and pass any other order or orders as is deemed fit and appropriate in the circumstances of the case.

Counsel for the Petitioner:MR.VEMURIVENKATESWARA RAO

Counsel for the Respondents: MR.KANTHI NARAHARI (SC FOR CG)

The Court at the stage of admission made the following **ORDER** :

The petitioner appeared for an examination conducted for promotion. He secured 39 marks in Paper – I. He entertained a doubt whether there was a mistake in totalling of the marks under Paper-I. He is entitled to get the retotalling and verification of the marks under Rule 14(A) of Departmental Examinations of the Telecom Department, Appendix No.37. Accordingly, he made an application for retotalling of the marks and the respondent after retotalling of the marks, communicated to the petitioner through the letter dated 06-10-2003 informing that there is no change in totalling of the marks in Papers I & VI. The petitioner's name has been shown as Serial No.10 in the list of candidates, who applied for retotalling of the marks. The petitioner doubts this communication also by contending that the papers were sent to the same examiner, who totalled the marks. Therefore, he is unable to believe that the total made by the concerned examiners and the respondent is correct. Therefore, he requests to direct the respondents to reassess the marks awarded to the petitioner in paper No. I(English).

The learned Counsel for the petitioner submits that in various examinations, previously conducted in the year 1994, 1995, 1997 and 1999, in paper-I he secured around 80 for 150 marks, and astonishingly he got only 39 marks for 150 in the present examination. Therefore, he has every doubt whether the totaling

done by the examiner was correct. Therefore, he requested to give the petitioner another opportunity to get retotalling of the marks of paper-I done on payment of the prescribed fees.

In the light of the circumstances submitted by the petitioner, he is directed to make an application for retotalling of the marks of Paper-I once again regarding the examination conducted in March, 2003 and on receipt of such application with the prescribed fee, the 2nd respondent is directed to get the marks of paper-I of the petitioner retotalled by another person, who did not retotal them previously and communicate the result of retotalling to the petitioner, as per rules.

The writ petition is accordingly disposed of. No order as to costs.

Dr. G. Yethirajulu, J.

Dt:4th October, 2004.

Rns.

To

1 The Chairman-cum-Managing Director,

M/s Bharat Sanchar Nigam Limited
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001

2 The Chief General Manager, Telecommunications,

M/s Bharat Sanchar Nigam Limited,
Andhra Pradesh Circle, Abids, Hyderabad

3. Two CD copies.